



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARTISAN MANUFACTURING
CORPORATION,

Plaintiff,

07 Civ. 11278 (WHP)

-against-

ORDER FOR
PRELIMINARY INJUNCTION

ALL GRANITE & MARBLE
CORPORATION,

Defendant.

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WILLIAM H. PAULEY III, District Judge:

Plaintiff Artisan Manufacturing Corporation (“Artisan”) brings this action against Defendant All Granite & Marble Corporation (“All Granite”). On January 10, 2008 Artisan moved by order to show cause for a preliminary injunction, temporary restraining order, and expedited discovery. On January 11, 2008, this Court granted a temporary restraining order and on May 19, 2008, this Court issued a Memorandum and Order granting Artisan’s motion for preliminary injunction. Pursuant to the May 19, 2008 Memorandum and Order and Rule 65 of the Federal Rules of Civil Procedure, All Granite, its respective subsidiaries, affiliates, divisions, officers, directors, principals, servants, employees, successors and assigns, and all those in active concert or participation with it, are preliminarily enjoined and restrained, during the pendency of this action from:

1. imitating, copying, or making unauthorized use of Artisan’s ARTISAN trademark and Fleur-De-Lis design mark (the “Trademarks”);
2. importing, exporting, manufacturing, producing, distributing, circulating, selling, offering for sale, advertising, promoting or displaying any product bearing any simulation, reproduction, copy, counterfeit or colorable imitation of the Trademarks, including,

but not limited to, All Granite's three-pronged crown with swirled designs emanating from the base of the crown (the "Crown Mark");

3. using any simulation, reproduction, copy, counterfeit or colorable imitation of the Trademarks, including, but not limited to, the Crown Mark, in connection with the promotion, advertisement, display, sale, offering for sale, production, import, export, circulation or distribution of any product or service, in such manner as to relate or connect, or tend to relate or connect such product in any way with Artisan, or to any goods sold, sponsored, approved by, or connected with Artisan;

4. making any false designation of origin or false or misleading statement or representation of fact whatsoever with respect to any goods or services promoted, advertised, displayed, sold, offered for sale, produced, imported, exported, circulated or distributed by All Granite that is likely to cause confusion, mistake or deception by suggesting in any way that All Granite is affiliated, connected or associated with Artisan, or that All Granite's goods or services originate with, or are sponsored or approved by, Artisan; and

5. instructing, assisting, aiding or abetting any other person or entity in engaging in or performing any of the activities referred to in paragraphs (1) through (4) above.

Dated: June 25, 2008
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

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